

THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

WHITNEY BILYEU, individually and as Chair §
of the LIBERTARIAN PARTY OF TEXAS; §
MARK ASH; STEPHANIE BERLIN; JOE §
BURNES; ARTHUR DIBIANCA; KEVIN §
HALE; DESARAE LINDSEY; ARTHUR §
THOMAS IV; MARK TIPPETTS; and §
LIBERTARIAN PARTY OF TEXAS, §

Plaintiffs,

v.

JOHN B. SCOTT, in his official capacity as §
the Secretary of State of the State of Texas, and §
JOSE A. “JOE” ESPARZA, in his official §
capacity as the Deputy Secretary of State of the §
State of Texas, §

Defendants.

NO. 1:21-CV-01089-RP

Joint Motion for Entry of Agreed Interim Scheduling Order

Plaintiffs Whitney Bilyeu, Individually and as Chair of the Libertarian Party of Texas; Mark Ash; Stephanie Berlin; Joe Burnes; Arthur DiBianca; Kevin Hale; Desarae Lindsey; Arthur Thomas IV; Mark Tippetts; and Libertarian Party of Texas (“Plaintiffs”) and Defendants John B. Scott and Jose A. Esparza (“Defendants”) ask the Court to enter the attached Agreed Interim Scheduling Order, which is consistent with the agreements stated on the record at the teleconference with the Court on December 17, 2021.

In addition, because of the number of parties and the constitutional issues this case presents, the parties ask that the Court give them 30-pages for their opening briefs and Plaintiffs 10-pages for a reply brief, should Plaintiffs wish to file one. The parties are aware that brevity is

a virtue, and neither side feels the compulsion to fill pages just because they are available to be filled.

The parties ask the Court to grant this Joint Motion for Entry of Agreed Interim Scheduling Order and enter the attached order in Exhibit “A.”

Dated: January 26, 2022

Respectfully submitted,

/s/ Jared G. LeBlanc

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COUNSEL FOR DEFENDANTS

Certificate of Service

The undersigned hereby certifies that a true and correct copy of the foregoing was served upon Plaintiff, by and through its counsel of record, electronically through the Clerk's ECF system on January 26, 2022.

/s/ Jared G. LeBlanc
Jared G. LeBlanc